

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FAYE WHITLOCK for S.W.,)
)
)
Plaintiff,)
)
)
v.) No. 4:05 CV 410 JCH
)
) DDN
JO ANNE B. BARNHART,)
Commissioner of)
Social Security,)
)
Defendant.)

REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

This action is before the court upon the motion of defendant Commissioner of Social Security to reverse and remand. The matter was referred to the undersigned United States Magistrate Judge for review and a recommended disposition in accordance with 28 U.S.C. § 636(b).

The Commissioner seeks remand under Sentence Four of 42 U.S.C. § 405(g) for further administrative proceedings in which the Administrative Law Judge will be directed to (1) further consider whether plaintiff's impairments medically meet or equal the listings or whether they are functionally equaled; (2) obtain additional evidence, including a mental status consultative examination with psychological testing; (3) recontact Dr. Vogel for clarification of his opinion; and (4) obtain evidence from a medical expert. The motion is unopposed.

Whereupon,

IT IS HEREBY RECOMMENDED that the motion of defendant (Doc. 16) be sustained, and that, under Sentence Four of 42 U.S.C. § 405(g), this action be reversed and remanded to the Commissioner for further administrative proceedings as set forth above.

The parties are advised that they have ten days in which to file written objections to this Report and Recommendation.



DAVID D. NOCE
UNITED STATES MAGISTRATE JUDGE

Signed on August 5, 2005.